

In the United States Court of Federal Claims

No. 23-1875C

(Filed: December 19, 2023)

NOT FOR PUBLICATION

ARAN MURPHY,

*

Plaintiff,

*

v.

*

THE UNITED STATES,

*

Defendant.

*

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ORDER

Mr. Aran Murphy, proceeding *pro se*, filed this civil action against the United States of America. To proceed with a civil action in this Court, a plaintiff must pay required fees or request authorization to proceed without prepayment of fees by submitting a signed application to proceed *in forma pauperis* (“IFP”). *See* 28 U.S.C. §§ 1914, 1915.

Mr. Murphy submitted his complaint without the filing fees or a completed IFP application. In an order dated October 25, 2023, this Court ordered Mr. Murphy to either pay \$402.00 in required fees — a \$350.00 filing fee plus a \$52.00 administrative fee — or submit an IFP application within thirty days. *See Order (ECF 5).*¹ To date, Mr. Murphy has failed to comply with this Court’s previous order.

This Court may dismiss a case for failure to prosecute when the plaintiff “fails ... to comply with these rules or a court order.” RCFC 41(b). Here, Plaintiff’s failure to comply with an order directing him to pay the filing fee or establish grounds for proceeding *in forma pauperis* justifies dismissal. *See, e.g., Bryant v. United States*, 618 F. App’x 683, 686 (Fed. Cir. 2015) (“If a party fails to pay the requisite filing fee, despite adequate notice and ample opportunity to do so, the Claims Court acts within its discretion when it dismisses the action.”). As a result, this action is dismissed without prejudice for failure to prosecute under Rule 41 of the Rules of the United States Court of Federal Claims.

¹ After Plaintiff’s thirty-day deadline expired, the required fees increased to \$405.00 — a \$350.00 filing fee plus a \$55.00 administrative fee.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

s/ Stephen S. Schwartz
STEPHEN S. SCHWARTZ
Judge